



Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

11/15/2010

Certified Mail

Marian Gammon
ArcelorMittal Warren Inc.
2234 Main Ave SW
Warren, OH 44481

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0278000648
Permit Number: P0106214
Permit Type: Initial Installation
County: Trumbull

No	TOXIC REVIEW
No	PSD
Yes	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

The issuance of this PTI is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. If you have any questions regarding this permit, please contact the Ohio EPA DAPC, Northeast District Office. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: U.S. EPA
Ohio EPA-NEDO; Pennsylvania; West Virginia; Canada



Response to Comments

Response to comments for: Permit-To-Install

Facility ID:	0278000648
Facility Name:	ArcelorMittal Warren Inc.
Facility Description:	Coke plant
Facility Address:	2234 Main Ave SW Warren, OH 44481 Trumbull County
Permit #:	P0106214, Initial Installation
A public notice for the draft permit issuance was published in the Ohio EPA Weekly Review and appeared in the Warren Tribune Chronicle on 09/11/2010. The comment period ended on 10/11/2010.	
Hearing date (if held)	
Hearing Public Notice Date (if different from draft public notice)	

The following comments were received during the comment period specified. Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. PDF copies of the original comments in the format submitted are available upon request.

1. Topic: **Typos**

- a. Comment: Total permit allowable emissions typo.
- b. Response: Pm10 emissions has been changed from 7.95 to 7.92 tpy. PE emissions was added (9.42 tpy)
- c. Comment: The permittee has been.... However, that rule revision has not yet been approved by U.S. EPA as revision to Ohio's State Implementation Plant should be Plan (SIP)
- d. Response: The word "Plant" was replaced with "Plan".
- e. Comment: The language "Use of material with sufficient moisture content of at least 5% to meet the applicable requirements of b)(1) throughout processing height: minimize drop height."
- f. Response: this typo was corrected. It should read..."meet the applicable requirements of b)(1) throughout processing: minimize drop height."

2. Topic: **Deviations**

- a. Comment: Simplify the permit Standard Terms and Conditions as is done in paragraph A.4(c)(3). Recommend removal of: "See A.15. below if no deviations occurred during the quarter." To be replaced by: "If no deviations occurred during the calendar quarter, the permittee shall submit a quarterly report which states that no deviations occurred during that quarter." Then paragraph A.15. can be eliminated in it's entirety.
- b. Response: The terms in Part A. "Standard Terms and Conditions" of the permit cannot be changed.

3. Topic: **Inspection frequency**

- a. Comment: Change the minimum inspection frequency for all material handling operation(s) from 'once per shift' to 'once per day.' Based on operating experience at ArcelorMittal's other coal handling operations daily visible emissions inspections will be sufficient to ensure compliance with the permit requirements.
- b. Response: Inspection frequency was changed from "once per shift" to "once per day."

4. Topic: **Process weight rate determination**

- a. Comment: This unit does not have a scale, material processed will be determined by establishing a base weight per loader bucket. While operating the number of buckets loaded be tracked.
- b. Response: Establishing a "based weight per loader bucket" as a way of determining the amount of material being processed is not acceptable. This does not represent the true material throughout. Therefore, hours of operation of the screener will be required, instead. 7,333 hours per year is the new operating hour restriction in lieu of the material throughout restriction.



FINAL

**Division of Air Pollution Control
Permit-to-Install
for
ArcelorMittal Warren Inc.**

Facility ID: 0278000648
Permit Number: P0106214
Permit Type: Initial Installation
Issued: 11/15/2010
Effective: 11/15/2010



Division of Air Pollution Control
Permit-to-Install
for
ArcelorMittal Warren Inc.

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Authorization

Facility ID: 0278000648
Facility Description: Coke plant
Application Number(s): A0039276
Permit Number: P0106214
Permit Description: Portable coke screening plant
Permit Type: Initial Installation
Permit Fee: \$1,250.00
Issue Date: 11/15/2010
Effective Date: 11/15/2010

This document constitutes issuance to:

ArcelorMittal Warren Inc.
2234 Main Ave SW
Warren, OH 44481

of a Permit-to-Install for the emissions unit(s) identified on the following page.

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 43087
(330)425-9171

The above named entity is hereby granted a Permit-to-Install for the emissions unit(s) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Authorization (continued)

Permit Number: P0106214
Permit Description: Portable coke screening plant

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	F006
Company Equipment ID:	Portable Coke Screening Station
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:
 - (1) Standard Term and Condition A.2.a), Severability Clause
 - (2) Standard Term and Condition A.3.c) through A. 3.e) General Requirements
 - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
 - (4) Standard Term and Condition A.9., Reporting Requirements
 - (5) Standard Term and Condition A.10., Applicability
 - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
 - (7) Standard Term and Condition A.14., Public Disclosure
 - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (9) Standard Term and Condition A.16., Fees
 - (10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

- a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

- a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.
- b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

- c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d) This permit does not convey any property rights of any sort, or any exclusive privilege.
- e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
 - (1) The date, place (as defined in the permit), and time of sampling or measurements.
 - (2) The date(s) analyses were performed.
 - (3) The company or entity that performed the analyses.
 - (4) The analytical techniques or methods used.
 - (5) The results of such analyses.
 - (6) The operating conditions existing at the time of sampling or measurement.
- b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
 - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Ohio EPA DAPC, Northeast District Office.

- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Ohio EPA DAPC, Northeast District Office. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.
 - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Ohio EPA DAPC, Northeast District Office every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
 - (4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Ohio EPA DAPC, Northeast District Office in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to OAC rule 3745-15-06.

Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

- a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.
- b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.
- c) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:



- (1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
 - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - (4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- d) The permittee shall submit progress reports to the Ohio EPA DAPC, Northeast District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
- (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - (2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Ohio EPA DAPC, Northeast District Office.

- b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Ohio EPA DAPC, Northeast District Office. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in Ohio EPA's "Air Services" along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).
- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.



14. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in Air Services once the transfer is legally completed. The change must be submitted through Air Services within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.

C. Emissions Unit Terms and Conditions



1. F006, Portable Coke Screening Station

Operations, Property and/or Equipment Description:

Portable coke screening plant: 5'x12' Double Deck Coke Screener, three conveyors, material handling; maximum annual operating hours of 7,333 hours.

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC paragraph 3745-31-05(A)(3), as effective 11/30/01	Total fugitive particulate emissions from the load-in/load-out operation, screener, and transfer points, combined, shall not exceed 2.57 lbs/hr and 9.42 tpy. Total fugitive particulate emissions less than 10 microns in diameter (PM ₁₀) from the load-in/load-out operation, screener, and transfer points, combined, shall not exceed 2.16 lbs/hr and 7.92 tpy. See b)(2)a.
b.	OAC paragraph 3745-31-05(A)(3)(b) as effective 12/01/2006	See b)(2)b.
c.	OAC rule 3745-17-08(B)	See b)(2)d.
d.	OAC rule 3745-17-07(B)(1)	Visible particulate emissions from any fugitive dust source shall not exceed 20% opacity as a 3-minute average.

(2) Additional Terms and Conditions

a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutant less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan

(SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 revision of 3745-31-05, then these emission limits/control measures no longer apply.

- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

Permit to Install and Operate P0106214 for this air contaminant source takes into account the following restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding BAT requirements under OAC rule 3745-31-05(A)(3):

- i. the operating hours have been limited to 7,333 hours per year for the purposes of avoiding state modeling requirements.
- c. The material handling operation(s) that are covered by this permit and subject to the requirements of b)(1) are listed below:
 - i. conveyors and associated transfer points;
 - ii. conveyor drop points; and
 - iii. screener.
- d. The permits shall employ best available control measures for material handling operation(s) for the purpose of ensuring compliance with the applicable requirements of b)(1). The permittee shall implement the following control measure(s) to ensure compliance with the applicable requirements of b)(1):

Material handling operation(s)	Control measure(s)
All conveyors and associated transfer points	Use of material with sufficient moisture content of at least 5% to meet the applicable requirements of b)(1) throughout processing; minimize drop height.
All conveyors drop points	Use of material with sufficient moisture content of at least 5% to meet the applicable requirements of b)(1) throughout processing; minimize drop height.
Screener	Use of material with sufficient moisture content of at least 5% to meet the

	applicable requirements of b)(1) throughout processing; minimize drop height.
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Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- e. For each material handling operation that is not adequately enclosed, the control measure(s) specified in b)(2)d shall be implemented as needed to meet applicable requirements of b)(1) during operation. If the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that additional control measure(s) is (are) necessary to ensure compliance with the applicable requirements of b)(1), such additional control measures shall be implemented immediately. Any required implementation of the additional control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of these additional control measures(s) is unnecessary.
- f. Implementation of the control measure(s) specified in b)(2)d in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-17-08.

c) Operational Restrictions

- (1) The maximum annual operating hours for this emissions unit shall not exceed 7,333 hours per year, based upon a rolling, 12-month summation.

To ensure enforceability during the first 12 calendar months of operation, following the issuance of this permit, the permittee shall not exceed the maximum allowable cumulative throughput levels specified in the following table:

<u>Months(s)</u>	<u>Maximum Allowable</u> <u>Cumulative Operating Hours</u>
1	611
1-2	1,222
1-3	1,833
1-4	2,444
1-5	3,055
1-6	3,666
1-7	4,277
1-8	4,888



Table with 2 columns: ID (1-9 to 1-12) and Value (5,410 to 7,333)

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual operating hours limitation shall be based upon a rolling, 12-month summation of the operating hours.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

Table with 2 columns: Material handling operation(s) and Minimum inspection frequency. Rows include conveyors, drop points, and screener.

The inspections shall be performed during representative, normal operating conditions.

- (2) The permittee may, upon receipt of written approval from Ohio EPA Northeast District Office, modify the inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the requirements of b)(1) of this permit.
(3) For material handling operations, the permittee shall maintain records of the following information:
a. the date and reason any required inspection was not performed;
b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
c. the dates that the additional control measure(s) was (were) implemented;

- d. a description of the additional controls implemented; and
- e. on a calendar quarter basis, the total number of days the control measures were implemented.

The information in d)(3)e shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

- (4) The permittee shall maintain monthly records of the following information:
 - a. hours of operation for each month; and
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the hours of operation.

Also, during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative hours of operation for each calendar month.

- (5) The permittee shall record the annual 12-month summation of the hours of operation.

e) Reporting Requirements

- (1) The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency;
 - b. each instance when an additional control measure, that was to be performed as a result of an inspection, was not implemented;
 - c. each instance when the monthly hours of operation exceeded the rolling, 12-month operating hours limitation; and
 - d. for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative operating hours.

The deviation reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

f) Testing Requirements

- (1) Compliance with the emission limitations in b)(1) of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emission Limitation:

Visible particulate emissions from any fugitive dust source shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

If required, compliance with the allowable visible emission limitation shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(3).

b. Emission Limitation:

Total fugitive particulate emissions from the load-in/load-out operation, screener, and transfer points, combined, shall not exceed 2.57 lbs/hr and 9.42 tpy.

Total fugitive PM₁₀ emissions from the load-in/load-out operation, screener, and transfer points, combined, shall not exceed 2.16 lbs/hr and 7.92 tpy.

Applicable Compliance Method:

The lbs/hr emission limitations were determined by multiplying the following AP-42 emission factors by the maximum capacity of the unit of 75 tons per hour. The annual emission limitations were determined by multiplying the lbs/hr limitation by the maximum operating schedule of 7,333 hours per year and dividing by 2000 lbs/ton. Therefore, provided compliance is shown for the requirements to apply best available control measures to minimize or eliminate visible fugitive particulate emissions and with the 7,333 hours per year operational restriction, it shall be a rebuttable presumption that compliance with the annual emission limitations have been attained.

Material Handling Operation	PE Emission Factor	PM10 Emission Factor
Load-in/load-out	0.002 lb/ton	0.0008 lb/ton
Screening	0.025 lb/ton	0.025 lb/ton
Transfer points (2 total)	0.003 lb/ton	0.0011 lb/ton

The controlled emission factors for the crushing, screening, and material handling operations are from AP-42 Section 11.19.2-2 (08/04). The uncontrolled emission factors for truck unloading and front end loader dumping into the feeder are derived from AP-42 Section 13.2.4 (11/06).

g) **Miscellaneous Requirements**

- (1) At the discretion and following the approval of the Director (the appropriate Ohio EPA District Office or local air agency), the permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI), providing the appropriate notification and exemption requirements have been met. Pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1), the Director may issue a "Notice of Site Approval" for any predisclosed location if the portable source meets the requirements of OAC rule 3745-31-05(H), as follows:

- a. the portable source is operating pursuant to a currently effective permit-to-install (PTI), permit-to-install and operate (PTIO), or has been approved for registration status and continues to comply with the requirements of the permit and any applicable state and/or federal rules;
- b. the portable source has been issued a PTIO or PTI and the permittee continues to comply with the requirements of the permit, including any applicable best available technology (BAT) determination;
- c. the portable source owner has identified and submitted the proposed site to the Ohio EPA;
- d. the permitting District Office/local air agency and the District Office/local air agency having jurisdiction over the new site (if different) have determined that the portable source will have an acceptable environmental impact at the proposed site;
- e. a public notice, meeting the requirements OAC rule 3745-47, is published in the county where the proposed site is located;
- f. the owner of the proposed site (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site; and
- g. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

The portable source can be relocated upon receipt of the Director's "Notice of Site Approval" for the site. Any site approval issued by the Ohio EPA, pursuant to OAC rule 3745-31-05(H) is subject to expiration and renewal. Pursuant to OAC rule 3745-31-07(C)(3), any site approval for a portable source shall be issued for a period of time determined to be appropriate by the Director and the renewal will be reevaluated and subject to the same requirements above.

- (2) If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility, in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office or local air agency responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification

or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.